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EXAMINER	
WANG, KENT F	

ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/808,868	AIZAWA, TAKASHI	
	Examiner	Art Unit	
	KENT WANG	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *42-71* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *42-71* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 42-71 are pending.

Response to Argument

2. Applicant's arguments with respect to independent claims 42, 55, and 68-69 have been considered but are moot in view of the newly found prior art references.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 42-45, 47, 51, 54-58, 60, 64-65, and 67-71 are rejected under 35 U.S.C. § 102(b) as being anticipated by Seaman (US 2003/0030733).

Regarding claim 42, Seaman discloses an information processing apparatus (a laptop computer 215, Fig 2) capable of communicating with an information input apparatus (a digital camera 240, Fig 2), comprising: reception unit (an I/O devices 140 is a data capture device, Fig 1) ([0020] and [0026]) configured:

- in a first reception operation where the information processing apparatus (215) is connected to the information input apparatus (240), to receive information specifying a file recorded on a recording medium (memory 130) of the information input apparatus (the location of the stored data sets will generally correspond to filenames

of various audio, video, graphic, and/or other media data, as once the location of the stored data sets has been received, the identity of one or more attributes of that data may be received or identified at step 304) (Fig 3 and [0026], [0029]-[0030]);

- in a second reception operation after the reception in the first reception operation, to receive part of attribute information (first data attribute), not all of the attribute information, of the file recorded on the recoding medium (130) of the information input apparatus (once the data attributes have been identified, prioritized, and weighted at steps 304-308, an attempt is made at step 310 to read, or otherwise receive, the first data attribute from the first captured data set in the captured data 190) (Fig 3 and [0036]); and
- in a third reception operation after the reception in the second reception operation, to receive information (second data attribute) which has not been received in the second reception operation, not all of the file, among information included in the file recorded on the recording medium of the information input apparatus (at step 316, the highest priority captured data attribute is then read, or otherwise received, from the (first) captured data set at the temporary storage location, i.e. a file creation date may obtained from the temporary storage location and at step 318, a corresponding stored data attribute is obtained from the (first) stored data set in memory 130) (Fig 3 and ([0039]).

Regarding claim 43, Seaman discloses a first reception operation said reception unit (an I/O devices 140 is a data capture device, Fig 1) receives information specifying the folder recorded (particularly useful data attributes include data type, field length, file name, file

size, file creation date, file creation time, and a summary representation of the data in the data set, such as a checksum or thumbnail of graphic image the data) on the recording medium (130) of the information input unit (240) ([0029]-[0030]).

Regarding claim 44, Seaman discloses in said first reception operation said reception unit (140) receives information specifying all files recorded on the recording medium (130) of the information input unit (240) ([0020], [0026], and [0029]-[0030]).

Regarding claim 45, Seaman discloses in said second reception operation said reception unit (140) receives part of the attribute information (first data attribute) of a file corresponding to the information specifying the file received in the first case (Fig 3 and [0036]).

Regarding claim 47, Seaman discloses the part of the attribute information (first data attribute) to be received in the second reception operation by said reception unit (140) is information managed by a file system of the information input apparatus (240) ([0036]-[0038]).

Regarding claim 51, Seaman discloses the part of the attribute information (first data attribute) to be received in the second reception operation by said reception unit (140) includes at least one of a file name and file size of a file (the data attribute contains structural information about the data that describes its context and/or meaning, particularly useful data attributes include file name and file size) ([0030] and [0036]).

Regarding claim 54, Seaman discloses the information input apparatus (240) is a digital camera (digital camera 240, Fig 2) ([0026]).

Regarding claim 55, Tanaka discloses an information input apparatus (a digital camera 240, Fig 2) capable of communicating with an information processing apparatus (a laptop computer 215, Fig 2), comprising: a transmission unit (a cable 250, Fig 2) configured:

- in a first transmission operation where the information input apparatus (240) is connected to the information processing apparatus (215), to transmit information specifying a file recorded on a recording medium of the information input apparatus (the location of the stored data sets will generally correspond to filenames of various audio, video, graphic, and/or other media data, as once the location of the stored data sets has been received, the identity of one or more attributes of that data may be received or identified at step 304) (Fig 3 and [0026], [0029]-[0030]);
- in a second transmission operation after the transmission by said transmission unit (250) in the first transmission operation to transmit part of attribute information (first data attribute), not all of the attribute information, of the file recorded on the recoding medium of the information input apparatus (once the data attributes have been identified, prioritized, and weighted at steps 304-308, an attempt is made at step 310 to read, or otherwise receive, the first data attribute from the first captured data set in the captured data 190) (Fig 3 and [0036]); and
- in a third transmission operation after the transmission by said transmission unit (250), in the second transmission operation to transmit information (second data attribute) which has not been transmitted by said transmission unit in the second transmission operation, not all of the file, among information included in the file recorded on the recording medium of the information input apparatus (at step 316, the

highest priority captured data attribute is then read, or otherwise received, from the (first) captured data set at the temporary storage location, i.e. a file creation date may obtained from the temporary storage location and at step 318, a corresponding stored data attribute is obtained from the (first) stored data set in memory 130) (Fig 3 and ([0039]).

Regarding claim 56, Seaman discloses in a first transmission operation said transmission unit (250) further transmits information specifying the folder recorded on the recording medium of the information input unit (the location of the stored data sets will generally correspond to filenames of various audio, video, graphic, and/or other media data, as once the location of the stored data sets has been received, the identity of one or more attributes of that data may be received or identified at step 304) (Fig 3 and [0026], [0029]-[0030]).

Regarding claim 57, Seaman discloses in a first transmission operation said transmission unit (250) transmits information specifying all files recorded on the recording medium of the information input unit ([0020], [0026], and [0029]-[0030]).

Regarding claim 58, Seaman discloses in a second transmission operation said transmission unit (250) transmits part of the attribute information (first data attribute) of a file corresponding to the information specifying the file transmitted in the first transmission operation by said transmission unit (Fig 3 and [0036]).

Regarding claim 60, Seaman discloses the part of the attribute information (first data attribute) to be transmitted in the second transmission operation by said transmission unit is information managed by a file system of the information input apparatus ([0036]-[0038]).

Regarding claims 64, 65, and 67, these claims recite same limitations as claims 51, 52, and 54, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 51, 52, and 54 above.

Regarding claim 68, this claim differs from claim 42 only in that the claim 42 is an apparatus claim whereas claim 68 recites similar features in a method format. Thus the method claim 68 is analyzed and rejected as previously discussed with respected to claim 42 above.

Regarding claim 69, this claim differs from claim 55 only in that the claim 55 is an apparatus claim whereas claim 69 recites similar features in a method format. Thus the method claim 69 is analyzed and rejected as previously discussed with respected to claim 55 above.

Regarding claim 70, Seaman discloses a computer readable medium storing a computer program for implementing the information processing method described in claim 68 (computer readable medium) ([0023]-[0024]).

Regarding claim 71, this claim recites same limitations as claim 70. Thus it is analyzed and rejected as previously discussed with respect to claim 70 above.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 49-50 and 62-63 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Seaman in view of Tanaka (US 7,321,763).

Regarding claim 49, the limitations of claim 42 are taught above, Seaman does not disclose two request units. However, Tanaka discloses an information processing apparatus (a cellular phone 40) according to claim 42 further comprising:

- a first request unit (a transmitting and receiving device 453 or 457, Fig 6) that requests the part of the attribute information (sends part of attribute information, such as the information on a name of a server in the selected destination of communication to the cellular phone 40) to be received in the second reception operation by said reception unit (a transmitting and receiving device 453 or 457, Fig 6) to the information input apparatus (electronic camera 10, Fig 4) (the electronic camera 10 is arranged to automatically send the print order file as in second reception operation, which are prepared in advance, to the cellular phone 40) (col. 9, lines 39-53, Tanaka); and
- a second request unit (a transmitting and receiving device 453 or 457, Fig 6) that requests the information (obtained image data) to be received in the second reception operation by said reception unit (a transmitting and receiving device 453 or 457, Fig 6) to the information input apparatus (electronic camera 10, Fig 4) (uploads images and voice information recorded in the electronic camera 10 to the cellular phone which has not been received in the second reception operation, as the electronic camera 10 is arranged to automatically send the image file as in third reception operation, which are prepared in advance, to the cellular phone 40) (col. 9, lines 39-53, Tanaka).

Thus, it would have been obvious to one of ordinary skill in the art to have included the two request units as taught by Tanaka into Seaman's transfer system, as the suggestion/motivation would have been to provide a data transfer method wherein it becomes possible to eliminate necessity of complicated setting inputs related to communication in the communication terminal in performing dial-up connection to the Internet or the like from the communication terminal (col. 2, lines 20-34, Tanaka).

Regarding claim 50, the limitations of claims 42 and 49 are taught above, Tanaka discloses the information received in the third reception operation (images and voice information recorded in the electronic camera 10) by said reception unit is generated in response to the request by said second request unit (a transmitting and receiving device 453 or 457, Fig 6) (col. 9, lines 9-58, Tanaka).

Regarding claim 62, the limitations of claim 55 are taught above, Seaman does not disclose two request units. However, Tanaka discloses an information input apparatus (an electronic camera 10, Fig 1) according to claim 55 further comprising:

- a first request reception unit (transmitting and receiving device 157 including functions of a transmitting device and a receiving device which sends or receives information such as image data, Fig 4) that receives a first request from the information processing apparatus (a cellular phone 40, Fig 6) that requests the part of the attribute information to be transmitted in the second transmission operation by said transmission unit (sends part of attribute information, such as the information on a name of a server in the selected destination of communication to the cellular phone 40, as the electronic camera 10 is arranged to automatically send the print order file as

in second reception operation, which are prepared in advance, to the cellular phone 40) (col. 9, lines 39-53, Tanaka); and

- a second request reception unit (transmitting and receiving device 157 including functions of a transmitting device and a receiving device which sends or receives information such as image data, Fig 4) that receives a second request from the information processing apparatus (a cellular phone 40, Fig 6) that requests the information to be transmitted in the third transmission operation by said transmission unit (uploads images and voice information recorded in the electronic camera 10 to the cellular phone which has not been received in the second reception operation, as the electronic camera 10 is arranged to automatically send the image file as in third reception operation, which are prepared in advance, to the cellular phone 40) (col. 9, lines 9-53, Tanaka).

Regarding claim 63, this claim recites same limitations as claim 50. Thus it is analyzed and rejected as previously discussed with respect to claim 50 above.

7. Claims 46 and 59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Seaman in view of Yamazaki (US 6,724,777).

Regarding claim 46, the limitations of claim 42 are taught above, the Seaman references does not specifically teach that the part of the attribute information to be received requires less time to receive than the rest of the attribute information not to be received. However, Yamazaki discloses the part of the attribute information to be received requires less time to receive than the rest of the attribute information not to be received (transferring all the data at once requires less time than transferring the same data piecemeal, the time required to

transmit all the data is minimized to improve the data communication efficiency) (col. 9, lines 16-32, Yamazaki).

Thus, it would have been obvious to one of ordinary skill in the art to have included the wireless communication system as taught by Yamazaki into Seaman's data transfer method, as the suggestion/motivation would have been to provide a data transfer method wherein the first processor selects the data packet number and the predetermined re-transmission number, because by doing so, the determination can be reliably performed at high speed (col. 9, lines 16-32, Yamazaki).

Regarding claim 59, this claim recites same limitations as claim 46. Thus it is analyzed and rejected as previously discussed with respect to claim 46 above.

8. Claims 48 and 61 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Seaman in view of Chiba (US 2001/0047403).

Regarding claim 48, the limitations of claim 42 are taught above, the Seaman references does not specifically teach that the part of the attribute information of the file not to be received by said reception unit includes information obtainable by analyzing the file. However, Chiba discloses the part of the attribute information of the file not to be received by said reception unit includes information obtainable by analyzing the file (if data transfer request information is not received (NO at S200), control returns to S200 to wait for reception of data transfer request information) ([0068], Chiba).

Thus, it would have been obvious to one of ordinary skill in the art to have included the wireless communication system as taught by Chiba into Seaman's data transfer method, as the suggestion/motivation would have been to enable the system to provide a data transfer

method where a user can easily select required information and transfer information such as a web page to a predetermined information communication terminal ([0016], [0018], Chiba).

Regarding claim 61, this claim recites same limitations as claim 48. Thus it is analyzed and rejected as previously discussed with respect to claim 48 above.

9. Claims 53 and 66 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Seaman in view of Yamazaki (US 6,785,727).

Regarding claim 53, the limitations of claim 42 are taught above, the Seaman references does not specifically teach that the part of the attribute information of the file to be transmitted by said transmission unit includes information obtainable without analyzing the file. However, Yamazaki discloses the part of the attribute information of the file to be transmitted by said transmission unit includes information obtainable without analyzing the file (it is possible to reserve resources without analyzing job data at the printer side by receiving the setting about resources to be secured while the setting is attached to job data) (col. 27, lines 50-53, Yamazaki '727).

Thus, it would have been obvious to one of ordinary skill in the art to have included the wireless communication system as taught by Yamazaki into Seaman's data transfer apparatus, as the suggestion/motivation would have been to make it possible to preferentially process a job of a reserver in a reserved time zone by making a specified user use a printer in a certain time zone and excluding jobs of other users, because the combination makes it possible to automatically generate the setting about resources to be secured by a reserved job by using job data (col. 2, lines 4-8, Yamazaki '727).

Regarding claim 66, this claim recites same limitations as claim 53. Thus it is analyzed and rejected as previously discussed with respect to claim 53 above.

10. Claim 52 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Seaman in view of Tanaka (US 7,327,387).

Regarding claim 52, the limitations of claim 42 are taught above, Tanaka ('387) discloses the information to be received in the third reception operation by said reception unit includes at least one of thumbnail data and size of data included in the file, and size of the thumbnail data (the thumbnail 146 has image data of the main image 148 whose number of pixels (the number of pixels of VGA or XGA) is reduced to about 160.times.120 as a heading attached thereto and stored therein) (col. 13, lines 20-29, Tanaka '387).

Thus, it would have been obvious to one of ordinary skill in the art to have included the reception unit as taught by Tanaka ('387) into Seaman's apparatus, as the suggestion/motivation would have been to enable a plurality of image information whose number of pixels are different mutually may be recorded, because the image data to be transferred may be minimized as required, a communication time can be shortened and a desired image can be printed in a short time (col. 6, lines 3-5, col. 13, lines 20-29, Tanaka '387).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Yamaya (US 2004/0109062) discloses a digital camera wherein records data of a photographed picture to a removable record medium and reads picture data from the record medium, and
- Fichtner (US 7,170,551) discloses an automatic transfer of image information between imaging device and host system wherein the host system detects that an imaging device is connected to the host system. In response to detecting the imaging device, one or more images are transferred between the imaging device and the host system.

Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center

(EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TUAN HO/
Primary Examiner, Art Unit 2622

KW
09 Nov, 2009